

REVISED NEIGHBORHOOD PLAN
OF THE
CITY AND COUNTY OF HONOLULU 1986
(1998 EDITION)

FOREWORD

In keeping with the spirit of the original Neighborhood Plan and its concept of the "Responsible City," the Neighborhood Commission on June 17, 1986 adopted the Revised Neighborhood Plan of the City and County of Honolulu 1986. This edition contains that document but incorporates all subsequent amendments thereto.

Noteworthy in the 1998 edition are boundary amendments for Neighborhood Areas #20-Aiea, #21-Pearl City, #23-Ewa, and #26-Wahiawa. Where there were previously thirty-two Neighborhood Areas, there are currently thirty-five Neighborhood Areas.

Significant amendments also have been adopted by the Neighborhood Commission to provide the Neighborhood Boards with a legal framework that will better serve their needs as they move forward into the 21st Century. These amendments are reflected in Chapter 1 General Organization and Administration, Chapter 3 Election Rules and Procedures of Neighborhood Boards, and Chapter 4 Rules and Procedures of Neighborhood Boards.

This edition of the Revised Neighborhood Plan 1986, as amended, replaces all previous editions and amendments.

Honolulu, Hawaii
December 1998

CHAPTER 1

GENERAL ORGANIZATION AND ADMINISTRATION

CHAPTER 1

GENERAL ORGANIZATION AND ADMINISTRATION

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Article 1. Purpose

Section 1-1.1. "Neighborhoods and neighborhood boards to increase and assure effective citizen participation in the decisions of government shall be established in accordance with a neighborhood plan." (Article XIV, Section 14-101, Revised Charter of the City and County of Honolulu 1973 (1994 Edition). (Reso. 84-231)

Amendment Note

1986 Changed Article XIII, Section 13-101 to Article XIV, Section 14-101 conforming to 1978 City Charter amendment and 1984 amendment substituting word "government" for "the city." (Reso. 84-231)

Section 1-1.2. This is the mandate given by the voters to the Neighborhood Commission to develop a Neighborhood Plan.

Article 2. Definitions

Section 1-2.1. For the purpose of this plan, unless it is plainly evident from the context that a different meaning is intended, words and phrases used herein are defined as follows:

"Board" means the duly elected members of the neighborhood board or those appointed by the board to fill a vacancy.

"City" means the body politic and corporate by the name of "City and County of Honolulu."

"City Charter" means the charter of the City and County of Honolulu as revised by the Charter Commission, effective January 2, 1973.

"City Clerk" means the city clerk of the City and County of Honolulu.

"Commission" means the Neighborhood Commission of the City and County of Honolulu.

"Legal resident alien" means any person not a citizen or national of the United States but who is allowed, under federal law, to reside in the United States.

"Meeting" means the convening of the board at which a quorum is present in order to make a decision or to deliberate toward a decision upon a matter over which the board has advisory power.

(1) **"Regular Meeting"** of a board is one at which a quorum is present and an established order of business is conducted. The acts and business of a board shall include, but not be limited to, the approval of minutes of the previous meeting, reports of standing and/or special committees, unfinished business, and new business.

(2) **"Special Meeting"** of a board is one at which a quorum is present and the acts and business of the board is confined to the subject(s) so specified.

"Military personnel" means a member of the armed forces of the United States, including the person's spouse or dependents, who is stationed in the State of Hawaii.

"Neighborhood" means an area of the City which has been established by the initiative process outlined in Section 1-4.0 of this Neighborhood Plan.

"Quorum" means the presence of a minimum of one half plus one of the total number of members to which the board is entitled.

"Residence" means that place within the neighborhood and applicable subdistrict in which a person's habitation is fixed, wherein the person has the intention to remain, and to which whenever absent, the person has the intention to return.

"Resident" means a person who physically and legally dwells in a fixed place within the neighborhood and applicable subdistrict of the neighborhood.

"Subdistrict" means a geographical subunit within the neighborhood.

Amendment Note

1986 Amended subsections (a), (e), (f), and added subsections (g), (h), (i), (j), and (k).

1990 Definition for "resident" revised; "unexcused absence" deleted. Added new definitions for terms "legal resident alien," "military personnel," "residence."

Numeric designations deleted and definitions rearranged.

Article 3. Boundaries

Section 1-3.1. The boundaries of the neighborhoods shall be delineated on the official Neighborhood Boundary Maps in accordance with the geographical definitions in Chapter 2.

Amendment Note

1986 Added reference to Chapter 2, new topic heading.

Section 1-3.2. The following standards shall be used by the Neighborhood Commission in establishing neighborhood boundaries. These standards shall be used by the commission as guidelines for its periodic review of boundaries, for the granting of amendments, and for changes and adjustments.

(a) Neighborhoods shall be contiguous and compact insofar as

practicable.

(b) No neighborhood boundary shall be so drawn as to favor a person or community.

(c) The neighborhoods as a whole shall coincide so far as feasible with Oahu's historic communities. Where practicable, merging of an area in a larger neighborhood wherein substantially different socioeconomic interests dominate shall be avoided.

(d) Where possible, neighborhood boundaries shall follow permanent and easily recognized features, such as streets, streams, and clear geographical features, and when practicable, shall coincide with census tract, precinct, or administrative boundaries.

Amendment Note

1986 Amended section generally.

Section 1-3.3. Amendments to neighborhood boundaries may be requested by petition setting forth the proposed amendment(s) which shall include the map and geographical definition(s). The petition shall be signed by registered voters residing within the neighborhood equal in number to at least ten percent (10%) of the votes cast in the last preceding election of the neighborhood board, but shall contain not less than 100 signatories. When the proposed amendment(s) involve(s) several neighborhoods, the petition shall bear signatures of at least 100 registered voters from each affected neighborhood.

Amendment Note

1986 Amended section generally. Added requirement that map with geographical definitions accompany petition amendments proposing boundary changes.

Section 1-3.4. The petition shall be filed with the commission and transmitted to the city clerk for verification of the signatures as being those of registered voters.

Section 1-3.5 The commission shall hold a public hearing in the neighborhood within thirty-five (35) calendar days after receiving certification from the city clerk verifying the signatures on the petition as those of registered voters residing in the applicable neighborhood. The purpose of such public hearing shall be to determine whether or not the boundaries, as proposed, should be amended. There shall be fifteen (15) calendar days allowed for written testimony after the close of the public hearing. Within forty-five (45) calendar days following the close of the public hearing, the commission, by resolution, shall approve or disapprove the proposed amendment(s) to the neighborhood boundary. One of the bases for approval or disapproval shall be evidence of neighborhood support as submitted to the commission. The commission reserves the power to amend any detail(s) of the petition when there is evidence of neighborhood support for such an amendment or should any part(s) of the petition require clarity. A report explaining the commission's action(s) shall accompany the resolution.

Amendment Note

1994 Language rearranged; Substituted "thirty-five (35)" for "thirty (30)"

calendar days to hold public hearing subsequent to verification of registered voter signature by city clerk.

Section 1-3.6. If the evidence at the public hearing is inconclusive as to neighborhood support for the boundary change, a special election shall be called by the commission to allow residents of the neighborhood(s) affected to indicate what proportion desires the proposed change. The result of such an election shall be considered by the commission in making a decision on the proposed boundary amendment.

Section 1-3.7. The boundaries designated in the Neighborhood Plan shall not be amended within the first year from the date of the filing of the plan with the city clerk. In addition, the boundaries of neighborhoods and any subdistrict(s) shall not be amended within one year from the date of the neighborhood's first election of the board.

Article 4. Initiation and Formation of Neighborhoods

Section 1-4.1. A neighborhood shall be formed by initiative petition signed by five percent (5%) or 100 (whichever is less) of the registered voters within its neighborhood boundaries at the time of the last general election.

Section 1-4.2. The petition shall contain the proposed number of board members, proposed subdistrict areas of the neighborhood defined on a map, and including the geographical definition, and any plans for representation from subdistrict areas of the neighborhood.

Section 1-4.3. The petition shall be filed with the Neighborhood Commission, and transmitted to the city clerk for verification of the signatures as being those of registered voters.

Section 1-4.4. Upon verification by the city clerk, the commission shall publicize the petition within the proposed neighborhood, and call for the submission of any alternative petitions. Within thirty-five (35) calendar days after receiving the signature verification certificate from the city clerk, the commission shall hold a public hearing within the neighborhood as to whether or not the neighborhood should be formed. All additional petitions must be submitted before the close of the public hearing. There shall be fifteen (15) calendar days allowed for written testimony after the close of the public hearing. Within forty-five (45) calendar days following the close of the public hearing, the commission, by resolution, shall approve or disapprove the petition. One of the bases of approval or disapproval shall be evidence of neighborhood support. The commission reserves the power to amend any detail(s) of the petition if there is evidence of neighborhood support for such an amendment or should any part(s) of the petition require clarity. A report explaining the commission's action(s) shall accompany the resolution.

Amendment Note

1994 Substituted "thirty-five (35)" for "thirty (30)" calendar days to hold public hearing subsequent to voter registration signature verification by city clerk.

Section 1-4.5. Amendments to the petition may be requested by the neighborhood board at any time subsequent to approval of the petition by the commission. Approval or disapproval of such amendments shall be made by the commission after it has held a public hearing in the neighborhood. The number of days provided the commission to hold a public hearing, to call for alternative petitions, to allow for written testimony and, by resolution, act on the petition amendment request shall be the same as set forth in the plan under Section 1-4.4.

Amendment Note

1986 Last sentence added.

Article 5. Election of a Neighborhood Board

Section 1-5.1. Each neighborhood shall have a neighborhood board comprised of at least nine (9) members elected by plurality vote from the respective neighborhood or any subdistrict thereof. All boards shall have an uneven number of members who shall be residents, at least eighteen (18) years of age, of the neighborhood.

Section 1-5.2. There may be representation by geographic subunits, namely subdistricts, within the neighborhood. Any subdistrict of the neighborhood must consider the one-person, one-vote principle, allowing for reasonable deviation.

Section 1-5.3. Members of a neighborhood board shall be elected for two (2) year terms. Subsequent changes of the election date by the commission may be implemented upon petition by a neighborhood board. The term of the incumbents may be shortened or extended to coincide with the next biennial election date.

Amendment Note

1996 Style change. Amended word "the" to "a" neighborhood board to be consistent with title heading.

Section 1-5.4. The date, time, place, and method of election shall be approved by the commission. Rules, procedures, and method of election held under this article shall be as provided under Chapter 3 of this plan.

Section 1-5.5. The method of election shall be by mail balloting.

Section 1-5.6. All elections shall be nonpartisan and shall be by secret ballot.

Section 1-5.7. The candidates for election shall file a statement of candidacy on a form provided by the commission. No individual may become a candidate by any other means.

Section 1-5.8. A resident desiring to register as a voter for the election shall make and subscribe to an application in the form of an affidavit provided by the commission. A voter shall be required to register for each

succeeding election as provided.

Section 1-5.9. In the event of a tie for the last available board seat whether for at-large or a subdistrict of the neighborhood, and after a recount has been conducted, the winner shall be decided by lot in the presence of the candidates and witnesses.

Amendment Note

1980 Amended section generally.

1986 Amended section generally.

Article 6. Termination of a Neighborhood Board

Section 1-6.1. Termination.

The termination of a neighborhood board may be initiated by the residents of the neighborhood or by the Neighborhood Commission.

(a) The termination of a neighborhood board may be initiated by a petition in the same manner as provided for in the formation of a neighborhood (Article 4). After a public hearing, a two-thirds (2/3) vote of the commission is required to call for a vote in the neighborhood on the question of termination. A board shall be terminated upon an affirmative vote equal to a majority of the votes cast in the termination election provided it is not less than two-thirds (2/3) of the number of votes cast in the last election of the board.

(b) If a neighborhood board fails to meet for six (6) consecutive months or for other valid reasons, the commission may call a public hearing on the termination of the neighborhood board. After the public hearing, a two-thirds (2/3) vote of the commission is required to call for a vote in the neighborhood on the question of termination. A board may be terminated if the majority of votes cast in the termination election are in the affirmative, and if the number of affirmative votes cast are at least equal to two-thirds (2/3) of the votes cast in the board's last election.

Amendment Note

1986 Words "termination" substituted for "removal," "terminated" substituted for "removed." Amended subsection (b) and added last sentence.

Article 7. Powers, Duties, and Functions of a Neighborhood Board

Section 1-7.1. The boards are responsible for actively participating in functions and processes of government by articulating, defining, and addressing neighborhood problems. Their actions should reflect the needs and wants of the neighborhood. Boards are expected to take the initiative in selecting their activities and establishing priorities among them, and to provide means for effective citizen participation in government. The powers, duties, and functions of the board shall include, but not be limited to the following:

(a) Review and make recommendations on any general plan, development plan, and other land use matters within its neighborhood and may review and make recommendations on such changes in other neighborhoods in the city.

(b) Prepare a list of recommended capital improvement projects which reflect the needs of the neighborhood and state the priorities thereof and review and make recommendations on proposed capital improvement plans.

(c) Set goals and objectives, with priorities, which reflect the growth needs of the neighborhood and state the priorities thereof, for the growth of the neighborhood.

(d) Sponsor studies, hold informational meetings, conduct public forums, and make recommendations on problems in the neighborhood to appropriate government officials or agencies.

(e) Monitor and evaluate the efficiency and effectiveness of the government's delivery of services to citizens, and assist in advocating residents' interests to all branches of federal, state and local governments.

(f) Conduct educational programs for the general public regarding the aspect of government's decision-making processes important to board activities and functions.

(g) Hold a regular meeting on a pre-established day of the month in at least ten (10) months of a twelve (12) month annual cycle. The cycle will begin in June and end in May of the following year, unless otherwise set by the commission. At no time shall two (2) consecutive months elapse between regular meetings. All sessions shall be open public meetings held within the neighborhood. The agenda shall be made public by filing with the city clerk not less than seven (7) calendar days and mailed not less than six (6) calendar days prior to the scheduled regular meeting. The board shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall mail a copy of the notice to such person.

Public notice of all meetings shall be in compliance with the applicable provisions of the Neighborhood Plan and Chapter 92, Hawaii Revised Statutes.

(h) Special meetings open to the public may be called at any time by the chairperson, or a majority of the board. The agenda shall be made public by filing the same with the city clerk not less than six (6) calendar days prior to the special meeting. Written notice of such meetings specifying the subject(s) thereof shall be given to each member and the acts and business of the board shall be confined to the subject(s) so specified. Delivery of notice to the member's mailing address shall be deemed sufficient compliance to the giving of written notice.

(i) Within limitations of staff and financial resources, and in cooperation with such agencies as the satellite city halls, boards may initiate and seek out ways to assist and collaborate with existing community associations and councils in carrying out their functions in harmony with those assigned to neighborhood boards so long as the collaboration does not extend beyond the powers, duties, and functions of neighborhood boards as defined in this Plan.

Amendment Note

1994 Subsection (d), deleted words "public hearing" from provision.

1996 Subsection (d), added "to appropriate government officials or agencies"; subsections (g) and (h) deleted, functions no longer performed or under purview of board; renumbered subsections (i) to (g), (j) to (h), and (k) to (i); new subsection (i), added conditions under which boards may seek ways to assist and collaborate with existing community associations and councils.

Section 1-7.2. The commission shall provide staff and operating expenses for the neighborhood boards in order for them to perform their duties and

functions.

Amendment Note

1980 Amended section generally.
1986 Amended generally to conform with 1984 amendment of Sec. 14-101, RCH, redefining role of neighborhood boards. Amended to reflect 1984, 1985 amendments to Chapter 92, HRS., subsection (i) reworded.

Article 8. Rules for the Conduct of Business

Section 1-8.1. The board will conduct its business and shall operate pursuant to the Rules and Procedures of the Neighborhood Board as set forth under Chapter 4 of this Neighborhood Plan.

Section 1-8.2. The rules of parliamentary procedure as set forth by the latest revised edition of Robert's Rules of Order shall govern all boards except when the same are inconsistent with the Neighborhood Plan, the Revised City Charter, and the Hawaii Revised Statutes.

Amendment Note

1994 Language refined.

Article Note

1986 Article 8 amended generally.

Article 9. Appeals

Section 1-9.1. An aggrieved party may secure a review of any judgment of the commission by appeal in writing to the commission within ten (10) days of the publication of such judgment. The commission shall act on such an appeal at its next meeting, and a decision shall be made no more than ten (10) days after the meeting.

Section 1-9.2. Appeal may also be sought in accordance with the Administrative Procedures Act of the State of Hawaii, (Chapter 91, Hawaii Revised Statutes).

Article 10. Procedures Governing Hearings Conducted by the Neighborhood Commission

Section 1-10.1. Authority of the Neighborhood Commission.

The provisions of RCH Section 14-103 relating to the powers, duties, and functions of the commission requires the commission to assist areas of the City in the formation and operation of the neighborhood boards and to review and evaluate the effectiveness of the various neighborhood boards. Implied within this requirement is the authority of the commission to conduct hearings to determine the rights, duties, and privileges of members of the neighborhood boards and any person affected by the actions of any neighborhood board.

Section 1-10.2. Scope of Investigations.

In the interest of the residents of the neighborhoods represented by the neighborhood boards, the commission may review any aspect of the operation of the neighborhood boards to determine the effectiveness of the neighborhood boards in accordance with the Neighborhood Plan, the rules of the neighborhood boards and/or any applicable laws.

Section 1-10.3. Jurisdiction.

The commission will not conduct these hearings unless a written complaint has been filed by the complainant on the form furnished by the commission and signed by the complainant. The filing of the complaint must be witnessed and verified by the executive secretary of the Neighborhood Commission.

Section 1-10.4 Who May Complain; Time Limitations.

Any member of the neighborhood board or any resident of a neighborhood represented by a neighborhood board which is the subject of the complaint may file a complaint. The complaint shall be filed on a form furnished by the commission, and shall be filed within forty-five (45) calendar days from the date of the alleged violation(s) or wrongdoing(s). If, based on the materials submitted, the executive secretary has reason to believe that the complaint has not been filed in a timely fashion, the executive secretary shall refer the complaint to the commission with a recommendation for dismissal. The executive secretary shall notify the complainant and the neighborhood board or members from which the complaint has arisen of a referral to the commission for dismissal. Complainants wishing to protest a potential dismissal for untimeliness may request a hearing on the issue. Such a hearing shall be held in accordance with the procedures prescribed in Section 1-10.10 of this Neighborhood Plan. No inaction of the executive secretary on the timeliness issue shall preclude a respondent from raising a defense on untimeliness at the time of hearing on the merits pursuant to Section 1-10.10 of this Neighborhood Plan.

Amendment Note

1994 Provision added requiring filing of complaint on form furnished by commission and within forty five calendar days for the alleged violation.

1996 Words "time limitation" added to section heading; provision added to authorize executive secretary to freeze process and recommend dismissal of complaint when given reason to believe complaint failed to be filed within time limitations.

Section 1-10.5 Responses by the Neighborhood Board and Members.

Within five (5) calendar days after the filing date of the complaint, the executive secretary of the commission, by registered or certified mail, shall serve notice on the neighborhood board and members, as applicable. A copy of the complaint shall be furnished with said notice.

A response to the allegation(s) shall be filed with the commission on a form furnished by the commission within thirty (30) calendar days after the date of the notice; provided, however, that, when the executive secretary has referred the complaint to the commission for dismissal in accordance with the provisions of Sec. 1-10.4, no action shall be required of the board or members until the commission has acted upon the recommendation for dismissal.

The executive secretary shall notify the parties in writing of the action

taken on the referral for dismissal within five (5) work days of the commission's action. The thirty (30) day period within which the response must be filed shall commence upon the date the notification is mailed.

Amendment Note

1994 Added time limit and method of serving notice of complaint on respondent.
1996 Added provision to coincide with procedures authorizing executive secretary to freeze process and recommend dismissal when given to believe complaint failed to be filed in a timely manner as amended under Section 1-10.4.

Section 1-10.6. Response of Neighborhood Board.

Upon filing of a response, the executive secretary of the commission shall transmit a copy of the response within five (5) workdays after filing thereof to the complainant. If the neighborhood board fails to file a response within the aforesaid thirty (30) calendar days, any allegations contained in the complaint shall be deemed admitted by the respondent unless the respondent submits valid reasons in writing for the delay prior to the filing deadline for the response.

Section 1-10.7. Prehearing Review.

On a date set by the executive secretary which shall not be less than ten (10) workdays after the filing of the response, the complainant and the respondent shall appear before a deputy corporation counsel to determine the issues to be heard and resolved by the commission.

Section 1-10.8 Testimony, Witness or Any Evidence.

When a prehearing review has been held and issues have been determined as the result of this prehearing, the complainant and the respondent shall file with the neighborhood commission within ten (10) workdays, a list of witnesses (including addresses), a list of exhibits and copies of any evidence to be introduced at the hearing to support their respective positions. Copies of the list of witnesses, list of exhibits, and evidence shall be exchanged between the complainant and respondent. Failure to abide by the provisions of this section may result in the exclusion of the witnesses and/or evidence at the hearing.

Amendment Note

1996 Section rewritten to define process of submission and exchange of witness listings, exhibit listings and copies of evidence to be introduced at hearing.

Section 1-10.9. Hearing Date.

After the foregoing procedures have been met, the commission shall set a date for a hearing.

Section 1-10.10. Procedures at Hearing.

(a) The complainant shall proceed by making an opening statement, if desired, stating what the complainant intends to prove while the respondent may also give an opening statement, if desired, stating what the respondent intends to prove in support of his/her response to the complaint.

(b) Thereafter the complainant may proceed with his/her case by calling

witnesses or submitting any evidence in support of his/her complaint.

(c) During the presentation of the case by either the complainant or respondent, cross-examination of witnesses shall be permitted.

(d) Any document, writing, or object introduced as evidence in support of any party's position must first be examined by the opposing party before being introduced as evidence.

(e) The formal rules of evidence shall not apply to these hearings.

(f) Upon the conclusion of the presentation of the complainant's case, the commission may make a determination whether or not the complainant has submitted sufficient evidence to support his/her complaint. If so, the respondent may proceed with his/her case. If not, the commission may go into executive session to make a determination whether or not to dismiss the complaint.

(g) Upon the conclusion of the presentation of the case by the complainant and the respondent, the commission shall deliberate and arrive at a decision whether to dismiss or sustain the complaint. The commission may go into an executive session only in accordance with Sections 92-4 and 92-5, Hawaii Revised Statutes.

(h) After due deliberation, the commission shall render an oral decision and within ten (10) workdays after such decision issue a decision in writing, but if the hearing involves a contested case as defined in HRS Section 91-9, the commission shall render its decision based on findings of fact and conclusions of law pursuant to HRS Section 91-12.

Amendment Note

1986 Amended subsection (g) and added last sentence.

Section 1-10.11. Imposition of Remedies by the Neighborhood Commission.

If the commission finds in favor of the complainant, the commission shall determine the appropriate remedy commensurate to the gravamen of the complaint.

Section 1-10.12. Reconsideration.

Any person who has been subject to an adverse decision of the commission may request a reconsideration of the decision provided there is new evidence which was not presented at the original hearing. This motion shall be filed within forty-five (45) calendar days following the rendering of said decision. If this motion is denied, the decision of the commission shall stand and there shall be no further administrative appeal or reconsideration of the case; provided nothing herein shall be construed to prohibit the aggrieved person from seeking judicial review pursuant to HRS Chapter 91, Hawaii Administrative Procedures Act.

Amendment Note

1994 Added provision to set conditions of and time limit for filing of motion for reconsideration.

Article 11. Validity

Section 1-11.1. If any section or part of this Neighborhood Plan is

held invalid for any reason whatsoever, such invalidity shall not affect the validity of the remaining sections or part of this Neighborhood Plan.

Amendment Note

1978 Altered numeric designation Section XI. Amendments to the Neighborhood Plan to Section XII.

Article 12. Amendments to the Neighborhood Plan

Section 1-12.1. According to Section 14-104 of the City Charter, "The plan may be amended by the commission, after public hearings to be held in various areas of the city and amendments shall become effective upon filing with the city clerk."

Section 1-12.2. A comprehensive review of this Neighborhood Plan shall be conducted by the commission five (5) years after the filing of this plan with the city clerk and every five (5) years thereafter.

Chapter Amendment Note

1978 Added new Section X. Procedures Governing Hearings Conducted By The Neighborhood Commission. Altered numeric designation Section X. Validity to Section XI.

1986 RCH Section 14-104 substituted for Section 13-104 to conform with charter amendments. Format restyled; Added Chapter 1 under new topic heading "General Organization And Administration." Section and subsection numeric designation revised. Amended chapter generally to reflect revised format style. Word "neighborhood" substituted for "community." Amended generally, word "subdistrict" substituted for "subdivision" when referencing geographical subunit within neighborhood. Redefined days as "calendar" or "workday," as applicable.

CHAPTER 2

NEIGHBORHOOD BOUNDARY MAPS AND GEOGRAPHICAL DEFINITIONS

CHAPTER 2

NEIGHBORHOOD BOUNDARY MAPS AND GEOGRAPHICAL DEFINITIONS

Article 1 Maps of Neighborhood Boundaries
Article 2 Geographical Definitions

Article 1. Maps of Neighborhood Boundaries

Section 2-1.1. In accordance with Section 1-3.1 of the Neighborhood Plan, the following official Neighborhood Boundary Maps 1 and 2 are herein provided.

Exhibit-A, Map 1, dated August 1996, shall be repealed on May 31, 1999.

Exhibit-B, Map 2, dated August 1996, shall be repealed on May 31, 1999.

Exhibit-C, Map 1, dated August 1998, shall take effect on June 1, 1999.

Exhibit-D, Map 2, dated August 1998, shall take effect on June 1, 1999.

Article 2. Geographical Definitions

Section 2-2.1. Pursuant to Section 1-3.1 of this Neighborhood Plan, the geographical definitions of neighborhood boundaries are delineated as follows.

Neighborhood

Boundary Details

- #1** From Makapuu Point, along the coast in a westerly direction to the western outlet of Kuapa Pond, then inland north to May Way to Maunalua Avenue, Maunalua Avenue extended, then north to the crest of Maunalua Ridge to the crest of the Koolau Range (Honolulu City Limits), thence along the crest of the Koolau Range to Makapuu Point.
- #2** From the junction point of the crest of the Koolau Range and Maunalua Ridge, south along Maunalua Ridge to Maunalua Avenue extended, to Maunalua Avenue, to May Way, to the western outlet of Kuapa Pond, along the coast in a westerly direction to the east boundary of the Waialae Golf Course, thence east and north along the boundary of the Waialae Golf Course to the intersection of Waikui Street and Kalanianaʻole Highway, thence northeasterly along the ridgeline of the unnamed ridge east of Kapakahi Gulch to its intersection with Wiliwilinui Ridge, thence along Wiliwilinui Ridge to the crest of the Koolau Range, thence along the crest of the Koolau Range to Maunalua Ridge.
- #3** Beginning at the junction of the crest of the Koolau Range and Wiliwilinui Ridge, south along Wiliwilinui Ridge to its intersection with the crest of an unnamed ridge east of Kapakahi Gulch, thence south along the ridgeline of the unnamed ridge to the intersection of Waikui Street and Kalanianaʻole Highway, thence west and south along the east boundary of the Waialae Golf Course, thence along the coast in a southwesterly direction to the west boundary of the U.S. Coast Guard Reservation, thence in a straight line to the rim of the Diamond Head Crater, thence along the crater rim in a northern direction, thence in a straight line to the intersection of 18th Avenue and Diamond Head Road, thence along 18th Avenue to Puu Panini Avenue, east along Puu Panini Avenue, north along the property line between 4210 and 4220 Puu Panini Avenue, thence in a north and east direction along the back property lines of 4220 to 4326 Puu Panini Avenue to Huanui Street, east along Huanui Street east along the property line between 4405 and 4379 Puu Panini Avenue, thence north along the State Tax Department designated "Waialae-Kapahulu Boundary" which is a line running behind one row of homes west of Elepaio and Hunakai Streets, north across Waialae Avenue, north along the east property fence line of the Waialae Drive-In Theater, thence north along the east property fence line, along the fence line extended along the rear property line (east line of Wilhelmina Rise Tract), along the rim of a bluff (east line of Maunalani Heights Tract), thence to Waialaenui Gulch, thence north to the crest of the Koolau Range (Honolulu City Limits) and along the crest to the intersection with Wiliwilinui Ridge.

- #4 Beginning at the rim of the bluff along the east line of the Maunalani Heights Tract, in a southern direction along the fence line of the Waialae Drive-In Theater extended (east line of Wilhelmina Rise Tract), south to the fence along the east property line of the Waialae Drive-In Theater, south across Waialae Avenue, thence south along the State Tax Department designated "Waialae-Kapahulu Boundary" which is a line running behind the row of homes west of Hunakai and Elepaio Streets, west along the property line between 4405 and 4379 Puu Panini Avenue, west along Huanui Street, then south and west along the back property lines of 4326 to 4220 Puu Panini Avenue, south along the property line between 4220 and 4210 Puu Panini Avenue, thence west along Puu Panini Avenue to 22nd Avenue, thence south along 22nd Avenue to and along Tax Map Key Designator line 3-2 and 3-1 to 18th Avenue, thence south along 18th Avenue to Diamond Head Road, thence west along Diamond Head Road to Makapuu Avenue, thence north along Makapuu Avenue to Alohea Avenue, thence along Alohea Avenue to 6th Avenue, thence along 6th Avenue in a northerly direction to the H-1 Freeway, thence in a westerly direction along the H-1 Freeway to the extension of 5th Avenue, thence north along 5th Avenue to Waialae Avenue, thence east along Waialae Avenue to Sierra Drive, thence north along Sierra Drive to the west line of the Wilhelmina Rise Tract, thence north along the rim of the bluff which constitutes the west line of the Wilhelmina Rise and Maunalani Heights Tracts, thence to the point of junction with the east line of the Maunalani Heights Tract.
- #5 Beginning at the intersection of 5th Avenue and Waialae Avenue, south along 5th Avenue to the H-1 Freeway, then east along the H-1 Freeway to 6th Avenue, thence in a southerly direction along 6th Avenue to Alohea Avenue, thence east along Alohea Avenue to Makapuu Avenue, thence south along Makapuu Avenue to Diamond Head Road, thence along Diamond Head Road to the intersection with 18th Avenue, thence in a straight line to the rim of Diamond Head Crater, thence along the rim of Diamond Head, thence in a straight line south to the west boundary of the U.S. Coast Guard Reservation, thence in a westerly direction along the coastline to the intersection of Kalakaua Avenue and Kapahulu Avenue, thence north along Kapahulu Avenue to Ala Wai Boulevard, thence west along Ala Wai Boulevard to a line along the end of Ala Wai Canal, thence west along the Ala Wai Canal to the Manoa-Palolo Drainage Canal, thence north along the Manoa-Palolo Drainage Canal, thence north along the north branch of Manoa Stream, thence in a straight line across Dole Street to Waahila Ridge, thence north along Waahila Ridge to a point on the ridge which intersects with an extension of the southwest boundary of Kawao Park, thence along the southwest boundary of Kawao Park to the Honolulu Watershed Forest Reserve Boundary, thence south along the Forest Reserve Boundary to Palolo Stream, thence south along Palolo Stream to a direct line drawn to the intersection of Palolo Avenue and Waialae Avenue, thence east along Waialae Avenue to 5th Avenue.
- #6 From the junction point of the crest of the Koolau Range and

Waialaenui Gulch, thence south along Waialaenui Gulch, thence in a direct line to the rim of a bluff constituting the west boundary of the Maunalani Heights Tract, thence southwest along the west boundary of the Maunalani Heights and Wilhelmina Rise Tracts to Sierra Drive, thence south along Sierra Drive to Waialae Avenue, thence west along Waialae Avenue to the junction of Palolo Avenue and Waialae Avenue, thence in a direct line to Palolo Stream, thence north along Palolo Stream to the Honolulu Watershed Forest Reserve Boundary, thence north along the Forest Reserve Boundary to southwest boundary of Kawao Park, thence along an extension of the Kawao Park boundary to Waahila Ridge, thence north along Waahila Ridge to the crest of the Koolau Range, thence east along the Koolau Range to the junction with Waialaenui Gulch.

#7 From the junction of the Koolau Ridge with Waahila Ridge, south along Waahila Ridge, across Dole Street to Manoa Stream, thence south along Manoa Stream to (old) Waialae Avenue, west along Waialae Avenue to the H-1 Freeway, west along H-1 Freeway to Punahou Street, north along Punahou Street to Nehoa Street intersection, west along the northern property boundaries of the homes along the northern side of Nehoa Street to the east boundary of homes on the east side of Ualakaa Street, thence north along the property lines parallel to Ualakaa Street to the Honolulu Watershed Forest Reserve Boundary, thence north along the Forest Reserve Boundary, and north along the rim of the ridge on the east side of Pauoa Flats to the crest of the Koolau Range, thence east along the Koolau Range until the junction with Waahila Ridge.

#8 Beginning at the junction of Waialae Avenue and Manoa-Palolo Drainage Canal, south along the Manoa-Palolo Drainage Canal, thence west along the Ala Wai Canal to Kalakaua Avenue, thence north along Kalakaua Avenue to King Street, thence east along King Street to Punahou Street, thence north along Punahou Street to the H-1 Freeway, thence east along the H-1 Freeway to Waialae Avenue, thence north along Waialae Avenue to the Manoa-Palolo Drainage Canal.

#9 Beginning at the junction of Ala Wai Boulevard and Kapahulu Avenue, thence south along Kapahulu Avenue to the ocean, thence in a westerly direction along the coastline to a line extending to the entrance to the yacht basin, thence north along that line to the Ala Wai Canal, thence along the Ala Wai Canal in a northeasterly and easterly direction to a straight line connecting the end of the Ala Wai Canal with the Ala Wai Boulevard, thence along the Ala Wai Boulevard to its junction with Kapahulu Avenue.

#10 Beginning at the junction of the face of the ridge on the east side of Pauoa Valley and an unnamed ridge, thence along a line descending along the northeast side of the ridge, thence south along the Honolulu Watershed Forest Reserve Boundary, thence south along the east side of the property lines on the east side of Ualakaa Street to the property lines on the north side of Nehoa Street, thence east along these property lines to Punahou Street, south along Punahou Street to King Street, thence west along King Street to Ward Avenue, thence north along Ward Avenue to the H-1 Freeway, thence west along

the H-1 Freeway to Pele Street, thence north along Pele Street and Pele Street extended to the rim of Punchbowl Crater, thence east along the rim of Punchbowl Crater, thence in a straight line to Prospect Street, thence southeast along Prospect Street to Nehoa Street, along Nehoa Street to Auwaiolimu Street, thence north along Auwaiolimu Street to Kanaha Stream, thence north along Kanaha Stream to the Forest Reserve Boundary, thence in a northwesterly direction along the Forest Reserve Boundary to the face of the ridge on the east side of Pauoa Valley, thence north along the ridge on the east side of Pauoa Valley to its junction with an unnamed ridge.

- #11** Beginning at the junction of King Street and Kalakaua Avenue, southeast along Kalakaua Avenue to the Ala Wai Canal, thence southwest along the Ala Wai Canal and a line extending through the channel of the yacht basin, thence along the coastline in a westerly direction to a line extension of Keawe Street, thence north on Keawe Street to Ala Moana Boulevard, west along Ala Moana Boulevard to South Street, thence north along South Street to King Street, east along King Street to Alapai Street, north along Alapai Street to Beretania Street, east along Beretania Street to Ward Avenue, thence south along Ward Avenue to King Street, thence east along King Street to Kalakaua Avenue.
- #12** Beginning at the junction point of the Koolau Ridge and a ridge (Puu Konahuanui), south along the face of the ridge on the east side of Pauoa Flats, thence south along the Forest Reserve Boundary to Tantalus Drive, along Tantalus Drive to Kanaha Stream, south along Kanaha Stream to Auwaiolimu Street, southeast along Auwaiolimu Street to Nehoa Street, along Nehoa Street to Prospect Street, along Prospect Street, thence in a straight line to the rim of Punchbowl Crater, thence in a westerly direction along the rim of Punchbowl Crater, thence in a straight line to Pele Street, south on Pele Street to the H-1 Freeway, to Nuuanu Avenue, north along Nuuanu Avenue to a point south of Ahi Place, thence in a straight line west to Waolani Stream, thence north along Waolani Stream to Kapalama-Waolani Stream Divide (ridge), north to the crest of the Koolau Range, thence east along the Koolau Ridge to Puu Konahuanui.
- #13** Beginning at the intersection of H-1 Freeway and Ward Avenue, south along Ward Avenue to Beretania Street, west along Beretania Street to Alapai Street, south along Alapai Street to King Street, west along King Street to South Street, south along South Street to Ala Moana Boulevard, east along Ala Moana Boulevard to Keawe Street, thence south along Keawe Street and a straight line extended, thence west along the coastline to a straight line running parallel to Pier 17 which extends to Honolulu Harbor, thence in a straight line north to King Street, thence north along Nuuanu Stream to School Street, thence east along School Street to Nuuanu Avenue, thence south along Nuuanu Avenue to the H-1 Freeway, thence east along the H-1 Freeway to Ward Avenue.
- #14** Beginning at the intersection of Waolani Stream and Kapalama-Waolani Stream Divide (ridge), south along Waolani Stream to a point south of Ahi Place where a straight line is drawn parallel to Ahi Place to

Nuuanu Avenue, thence south along Nuuanu Avenue to School Street, thence west along School Street to Likelike Highway, thence north along Likelike Highway to Kalihi Street, thence north along Kalihi Street to Akahi Street, east parallel to Akahi Street, thence north along the northwest boundary of Kamehameha Schools and north along Kamanaiki-Kapalama Stream Divide (ridge) to Kapalama-Waolani Stream Divide (ridge), thence south to Waolani Stream.

- #15** Beginning at the intersection of School Street and Nuuanu Stream, south along Nuuanu Stream to King Street, thence in a straight line to a line running parallel to Pier 17, extending southeast through Honolulu Harbor, thence west along the Anuenue Island coastline to a straight line in a northwesterly direction through Keehi Lagoon, thence northeast in a straight line to the mouth of Kalihi Stream at Nimitz Highway, west on Nimitz Highway to Middle Street, thence north on Middle Street to the east boundary of Fort Shafter Military Reservation opposite Kahauiki Street, thence west and north along the east boundary of Fort Shafter Military Reservation to Notley Street, thence east on Notley Street to School Street, east on School Street to Nuuanu Stream.
- #16** Beginning at the intersection of the crest of the Koolau Range and the Kalihi-Moole Stream Divide (ridge), south along Kamanaiki-Kapalama Divide (ridge), south along the northwest boundary of Kamehameha Schools to Akahi Street, thence west in a straight line parallel to Akahi Street to Kalihi Street, south along Kalihi Street to Likelike Highway, south on Likelike Highway to School Street, west on School Street to Notley Street, thence west on Notley Street to the east boundary of Fort Shafter Military Reservation, thence north along the east boundary of Fort Shafter to Kalihi-Manaiki Stream Divide (ridge), to the crest of the Koolau Range, thence east along the crest of the Koolau Range to the Kalihi-Moole Stream Divide (range).
- #17** Beginning at the intersection of the crest of the Koolau Range and Kalihi-Manaiki Stream Divide (ridge), south to the east boundary of Fort Shafter Military Reservation, thence south along the east boundary of Fort Shafter to a point opposite Kahauiki Street, thence south along Middle Street to the H-1 Freeway, thence west along the H-1 Freeway and Moanalua Road to Halawa Stream, thence north along Halawa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to its junction with Kalihi-Manaiki Stream Divide (ridge).
- #18** Beginning at the intersection of Moanalua Road and Puuloa Road, south along Puuloa Road to Peltier Avenue, thence west along Peltier Avenue, thence in a westerly direction along the northern boundary of Camp Catlin Naval Reservation, thence in a westerly direction along Salt Lake Boulevard to Halawa Stream, thence north along Halawa Stream to Moanalua Road, thence east along Moanalua Road to the intersection with Puuloa Road.
- #19** Beginning at the intersection of the H-1 Freeway and Middle Street, south along Middle Street to Nimitz Highway, east on Nimitz Highway

to the mouth of Kalihi Stream, thence in a straight line southwest to a point in Keehi Lagoon opposite an unnamed drainage channel, thence in a straight line southeast ending parallel to the western point of Anuenue Island, thence in a westerly direction to the entrance to Pearl Harbor, thence north up the Middle Loch of Pearl Harbor, thence in an easterly direction in East Loch (south and east of Ford Island) to a point in East Loch opposite the mouth of Halawa Stream, thence east to the mouth of Halawa Stream, thence north on Halawa Stream to Salt Lake Boulevard to the northern boundary of Camp Catlin Naval Reservation, thence east along the Camp Catlin boundary to Peltier Avenue, east along Peltier Avenue to Puuloa Road, thence north on Puuloa Road to Moanalua Road, thence east on Moanalua Road to Middle Street.

- #20** Beginning at the junction of the crest of the Koolau Range and Halawa Stream, south along Halawa Stream to a point opposite the mouth of Halawa Stream in East Loch, thence south (south and east of Ford Island) to a point in Middle Loch, thence in a northwesterly direction up Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence in a northeasterly direction through East Loch to the mouth of Waimalu Stream, thence north along Waimalu Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to a junction with Halawa Stream.

Amendment Note

1998 Boundary to be repealed on May 31, 1999.

- #20** Beginning at the junction of the crest of the Koolau Range and Halawa Stream, south along Halawa Stream to a point opposite the mouth of Halawa Stream in East Loch, thence south (south and east of Ford Island) to a point in Middle Loch, thence in a northwesterly direction up Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence in a northeasterly direction through East Loch to the mouth of Waimalu Stream, thence north along Waimalu Stream to Kamehameha Highway, west on Kamehameha Highway to Kaahumanu Street, north on Kaahumanu Street to the southern edge of the Crown at Wailuna community, west and north and east along the edge of the Crown at Wailuna community to the ridge between Waiau Gulch and Punanani Gulch, north on the ridge between Waiau Gulch and Punanani Gulch to the crest of the Koolau Range, thence east along the crest of the Koolau Range to a junction with Halawa Stream.

Amendment Note

1998 Boundary amended for implementation with the 1999 neighborhood board election and to take effect on June 1, 1999. Segment seceded from neighborhood area #21 annexed to neighborhood area #20.

- #21** Beginning at the junction of the crest of the Koolau Range and Waimalu Stream, south along Waimalu Stream to East Loch, Pearl Harbor, thence to a point south and west of the tip of Pearl City Peninsula, thence north through Middle Loch in a straight line to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W., east along the Oahu

R.R. & Land Co. right-of-way to Waiawa Stream, north along Waiawa Stream to Kamehameha Highway, west on Kamehameha Highway to the H-2 Freeway, north on the H-2 Freeway to Kipapa Stream, thence north and east along Kipapa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to Waimalu Stream.

Amendment Note

1998 Boundary to be repealed on May 31, 1999.

- #21** Beginning at the junction of the crest of the Koolau Range and the ridge between Waiau Gulch and Punanani Gulch, south along the ridge between Waiau Gulch and Punanani Gulch to the western edge of the Crown at Wailuna community, south and east along the Crown at Wailuna community boundary to Kaahumanu Street, south along Kaahumanu Street to Kamehameha Highway, east on Kamehameha Highway to Waimalu Stream to East Loch, Pearl Harbor, thence to a point south and west of the tip of Pearl City Peninsula, thence north through Middle Loch in a straight line to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W., east along the Oahu R.R. & Land Co. right-of-way to Waiawa Stream, north along Waiawa Stream to Kamehameha Highway, west on Kamehameha Highway to the H-2 Freeway, north on the H-2 Freeway to Kipapa Stream, thence north and east along Kipapa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to the extension of the ridge between Waiau Gulch and Punanani Gulch.

Amendment Note

1998 Boundary amended for implementation with the 1999 neighborhood board election and to take effect on June 1, 1999. Neighborhood area partially seceded and excluded area annexed to neighborhood area #20.

- #22** Beginning at the junction of the H-2 Freeway and the Mililani Memorial Park Road, south along the H-2 Freeway to Kamehameha Highway, thence east along Kamehameha Highway to Waiawa Stream, thence south along Waiawa Stream to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W., thence west along the Oahu R.R. & Land Co. R.R. right-of-way to a point where a straight line is drawn south through Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence to a point south of Waipio Point, thence in a northwesterly direction through West Loch to a point south of Leowaena Street, thence north along the setback from Leowaena Street to Kunia Road, thence north along Kunia Road to the intersection with Kupehau Road, thence east along power lines to Waikele Stream, thence south along Waikele Stream to Kipapa Stream, thence north along Kipapa Stream to the Mililani Memorial Park Road, thence along the Mililani Memorial Park Road to the H-2 Freeway.

- #23** Beginning at the intersection of Kunia Road and H-1 Freeway, thence south along Kunia Road, thence south along the setback from Leowaena Street to West Loch, southeast through West Loch to a point south of Waipio Point, thence south to the entrance to Pearl Harbor, thence west along the coast to the eastern property line of the

Barbers Point Naval Air Station (BPNAS), thence north along the BPNAS property line to the junction with the old OR&L (Oahu Railway and Land) right- of-way, thence in a straight line north to a point where Waimanalo Road intersects Kaloi Gulch, thence north along Kaloi Gulch to the H-1 Freeway, thence east along the H-1 Freeway to the Kunia Road intersection.

Amendment Note

1994 Boundary amended to take effect June 1, 1995 and for implementation with the 1995 neighborhood board election. Neighborhood area partially seceded to create neighborhood area #34.

- #24** Beginning at the junction of the Waianae, Waialua, Wahiawa District Boundaries, south along the Wahiawa-Waianae District Boundary to Puu Kanehoa, south along the west boundary of the Honouliuli Forest Reserve Boundary to Palikea, thence southwest along the western boundary of the Nanakuli Forest Reserve to Waimanalo Gulch, thence south along Waimanalo Gulch to the Pacific Ocean, thence north along the coast to the junction with the Waialua-Waianae District Boundary, thence east along the Waialua-Waianae District Boundary to its junction with the Wahiawa District boundary.
- #25** Beginning at the intersection of the H-2 Freeway and the south boundary line of the Leilehua Golf Course (Wahiawa-Ewa District Boundary line), thence south along the H-2 Freeway to the Mililani Memorial Park Road, thence southwest along the Mililani Memorial Park Road, thence south along Kipapa Stream to Waikele Stream, thence north along Waikele Stream to power lines on the western bank, thence in a westerly direction to Kupehau Road, thence from the intersection of Kupehau Road and Kunia Road in a straight line southwest to Puu Moopuna, thence in a straight line northwest to Palikea on the west boundary of the Honouliuli Forest Reserve, thence north along the crest of the Waianae Ridge to Puu Kanehoa, thence east along Huliwai Gulch to Kunia Road, thence north along Kunia Road, thence along the south and east boundary of Wheeler Air Force Base, thence north along Kamehameha Highway to the south line of Leilehua Golf Course, thence along the Leilehua Golf Course boundary to the H-2 Freeway.
- #26** Beginning at the intersection of the Poamoho Trail (Waialua-Wahiawa District Boundary) and the crest of the Koolau Range (east boundary of Ewa Forest Reserve), thence south along the crest of the Koolau Range to Wahiawa-Ewa District Boundary line, thence west along the Wahiawa-Ewa District Boundary to the closest point of the Waikakalaua Gulch, thence west along the northern boundary of the Waikakalaua Gulch to the H-2 Freeway, thence north along the H-2 Freeway to the south boundary of the Leilehua Golf Course, thence west along the Leilehua Golf Course boundary to Kamehameha Highway, thence along the east and south boundary of Wheeler Army Air Field, thence south along Kunia Road to Huliwai Gulch, thence west along Huliwai Gulch to Puu Kanehoa, thence north along the west boundary of Schofield Barracks Military Reservation (crest of Waianae Range) thence east along the north boundary of Schofield Barracks Military

Reservation (Waialua-Wahiawa District Boundary), thence southeast along Kaukonahua Stream, thence east along the Waialua-Wahiawa District Boundary (Poamoho Stream) to the intersection of Poamoho Trail and the crest of the Koolau Range.

Amendment Note

1996 Boundary amendment to take effect on June 1, 1997 implemented with 1997 neighborhood board election. Neighborhood area partially seceded to create neighborhood area #35.

- #27** Beginning at the mouth of Waialeale Stream thence south along Waialeale Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawaihoa Forest Reserve) thence south to Poamoho Trail, thence west along the Waialua-Wahiawa District Boundary (Poamoho Stream), thence northwest along Kaukonahua Stream, thence west along north boundary of Schofield Barracks Military Reservation, (Waialua-Wahiawa District Boundary), thence west along the crest of the Waianae Range (Waialua-Waianae District Boundary), top of the south rim of the Waianae Range, the south boundary of the Kaena Military Reservation, and the south boundary of Kaena Military Reservation extended, thence northeast along the Pacific Ocean to the mouth of Waialeale Stream.
- #28** Beginning at the mouth of Waialeale Stream, thence south along Waialeale Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawaihoa Forest Reserve), thence along the Koolauloa-Wahiawa Boundary to Puu Kaaumakua, thence east along the Koolauloa-Koolaupoko District Boundary to Kaoio Point, thence north along the coast to the mouth of Waialeale Stream.
- #29** Beginning at Puu Kaaumakua on the crest of the Koolau Range, east along the crest of the ridge constituting the south boundary of the Hauula Forest Reserve and the Koolauloa-Koolaupoko District line, thence south along the coast to a point south of Heeia Pier and north of Matson Point, thence in a northwesterly direction along the crest of an unnamed ridge, thence in a westerly direction along the crest of the ridge north of Heeia Meadowlands to the crest of the Koolau Range, thence north along the Koolau Range to Puu Kaaumakua.
- #30** Beginning at the junction of the crest of the Koolau Range and the crest of the ridge north of Heeia Meadowlands, thence east along the crest of the ridge north of Heeia Meadowlands, thence south and east along the crest of an unnamed ridge to a point south of Heeia Pier and north of Matson Point, thence south along the coastline (but including Mokuoloe Island) to the southwest boundary of the Kaneohe Marine Corps Air Station at the junction of the H-3 Freeway and Kaneohe Bay, thence in a southwesterly direction along the crest of Mahinui Ridge, thence in a southwesterly direction along the Kaneohe-Kailua Boundary to Kamehameha Highway to its junction with Kalaniana'ole Highway and Pali Highway, (including Hawaii Loa College) thence southwest along the Pali Highway to the crest of the

Koolau Range, thence north along the crest of the Koolau Range to its junction with the crest of the ridge north of Heeia Meadowlands.

- #31** Beginning at the junction of the crest of the Koolau Range and the Pali Highway, south and east, then north along the Pali Highway to the junction of Kalanianaʻole Highway and Kamehameha Highway, thence west along Kamehameha Highway to the Kaneohe-Kailua Boundary, thence east along the Kaneohe-Kailua Boundary to Mahinui Ridge, thence north along Mahinui Ridge to the southwestern corner boundary of the Kaneohe Marine Corps Air Station, thence east along the boundary of the Kaneohe Marine Corps Air Station to the southeastern corner boundary of the Kaneohe Marine Corps Air Station, thence southeast along the coast to the north boundary of Bellows Air Force Base, thence west along the north boundary of Bellows Air Force Base, thence south along the west boundary of Bellows, thence west along the Olomana Golf Course boundary, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence north along the crest of the Koolau Range to the Pali Highway.
- #32** Beginning at the junction of the north boundary of Bellows Air Force Base and the Pacific Ocean, then west along the north boundary of Bellows Air Force Base, thence south along the west boundary of Bellows, thence west along the boundary of Olomana Golf Course Boundary, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence south along the crest of the Koolau Range along the Koolaupoko-Honolulu District Boundary line to Makapuu Point, thence north along the coast to the northern boundary of Bellows Air Force Base.
- #33** Beginning at the southwest corner boundary of the Kaneohe Marine Corps Air Station, thence north along the western coast of the Kaneohe Marine Corps Air Station, thence east along the coast to Mokapu Point, thence south along the eastern coast to the southeastern corner of the Kaneohe Marine Corps Air Station, thence west along the south boundary of the Kaneohe Marine Corps Air Station.
- #34** Beginning at a point where the eastern property line of Barbers Point Naval Air Station (BPNAS) intersects with the shoreline, thence west and northwest along the coast to Waimanalo Gulch, thence north and east along Waimanalo Gulch to the west boundary of the Nanakuli Forest Reserve to Palikea, thence in a straight line southeast to Puu Moopuna, thence in a straight line northeast to the junction of Kupehau Road and Kunia Road, thence south along Kunia Road to the H-1 Freeway, thence west along the H-1 Freeway until it intersects with Kaloi Gulch, thence south along Kaloi Gulch to Waimanalo Road, thence south in a straight line to the junction with the old OR&L (Oahu Railway and Land) right-of-way and the BPNAS property line, thence along the eastern BPNAS property line to the shoreline.

Amendment Note

1994 Boundary description established for creation of new neighborhood

area #34 to be implemented with the 1995 neighborhood board election and to take effect on June 1, 1995.

- #35** Beginning at the intersection of the Wahiawa-Ewa District Boundary and the crest of the Koolau Range, thence south along the crest of the Koolau Range to Kipapa Stream extended, thence southwest along Kipapa Stream to the H-2 Freeway intersection, thence north along the H-2 Freeway to the northern boundary of the Waikakalaua Gulch, thence east along the northern boundary of the Waikakalaua Gulch to the intersection of the closest point of the Wahiawa-Ewa District Boundary, thence east along the Wahiawa-Ewa District Boundary to the intersection of the Wahiawa-Ewa District Boundary and the crest of the Koolau Range.

Amendment Note

1996 Boundary description established for creation of new neighborhood area #35 to be implemented with the 1997 neighborhood board election and to take effect on June 1, 1997.

Chapter Amendment Note

1986 Format restyled; added Chapter 2 under new topic heading "Neighborhood Boundary Maps And Geographical Descriptions."

CHAPTER 3

ELECTION RULES AND PROCEDURES OF NEIGHBORHOOD BOARDS

CHAPTER 3

ELECTION RULES AND PROCEDURES OF NEIGHBORHOOD BOARDS

Article 1	Definitions
Article 2	Designation of Units
Article 3	General Provisions
Article 4	Voter Registration
Article 5	Candidates
Article 6	Ballots
Article 7	Voting Procedures
Article 8	Challenge
Article 9	Vacancy
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In accordance with Section 1-5.4 of the Neighborhood Plan, the following rules and procedures are provided.

Article 1. Definitions

Section 3-1.1. Whenever used in these rules, the words and phrases in these rules shall, unless the same is inconsistent with the context, be construed as follows:

"Ballot" means a written or printed, or partly written and partly printed paper(s) or card(s) containing the name(s) of person(s) to be voted for and the office to be filled. A ballot may consist of one or more cards or pieces of paper depending upon the number of offices, the candidates to be elected thereto, and the voting system in use.

"Ballot packet" means the envelope containing the voter's ballot(s) and any official election materials necessary for the conduct of the election.

"Candidate" means an individual who seeks election to a seat on a neighborhood board and files a candidacy declaration with the Neighborhood Commission.

"Challenged ballot" means the ballot of a voter whose right to vote has been questioned by another registered voter.

"Counting center" means the computer facilities and surrounding premises designated by the executive secretary where electronic voting system ballots are counted.

"Election" means all elections, biennial or special, unless otherwise specifically stated.

"Electronic voting system" means the method of recording votes which are counted by automatic tabulating equipment.

"Executive secretary" means the executive secretary of the Neighborhood Commission.

"Invalid ballot" means any ballot which does not meet the requirements for ballots to be counted.

"Paper ballot voting system" means the method of recording votes which are counted manually.

"Qualified resident" means a person, eighteen (18) years of age and

older, whose primary residence is within the neighborhood or subdistrict as applicable.

"Qualified voter" means a person whose primary residence is within the neighborhood, and applicable subdistrict, is eighteen (18) years of age or older, and is registered to vote in the neighborhood board election.

"Reissued ballot" means a ballot issued to a voter who has spoiled a ballot or reports no delivery of ballot. The term **"Duplicate Ballot"** may be interchangeably used to define same.

"Spoiled ballot" means a ballot which is marked incorrectly by the voter, has misprints or is illegibly printed or contains some other defect.

"Vote cast" means any ballot which is returned to the Neighborhood Commission including a ballot that is blank or a ballot later rejected for any reason.

"Voter" means any person duly registered to vote in the neighborhood board election.

"Voting system" means the use of electronic ballot cards, paper ballots, or any other system determined by the executive secretary by which votes are cast and counted.

Amendment Note

1990 "Primary residence" substituted for "domicile" in definitions for "Qualified Resident" and "Qualified Voter."

Article 2. Designation of Units

Section 3-2.1. The large neighborhood area is already designated by the Neighborhood Plan. It may be divided into subdistricts consisting of single member, multi-member, or a combination single member and multi-member districts of approximately equal size in population. The one-person, one-vote principle shall apply in both cases, allowing for reasonable deviation (NP Sec. 1-5.2).

Section 3-2.2. A minimum of nine (9) members shall be elected from the neighborhood. There is no maximum but the total number must be an uneven one (NP Sec. 1-5.1). A neighborhood is defined as an area of the City and County of Honolulu delineated on the official Neighborhood Map (NP Sec. 2-1.1) and as geographically described under Section 2-2.1 of this plan.

Article 3. General Provisions

Section 3-3.1. The method of election shall be mail balloting and all elections shall be nonpartisan and by secret ballot.

Section 3-3.2. All residents, including military personnel and legal resident aliens, whose primary residence is in the neighborhood and applicable subdistrict and who are at least eighteen (18) years of age by the third (3rd) Tuesday in January of the election year shall be entitled to register as a voter for the election.

Amendment Note

1990 Substituted "legal resident alien" for "alien" to conform with revised definition and rearranged language.

Section 3-3.3. Any resident, including military personnel and a legal resident alien, who has reached the age of eighteen (18) years or who is seventeen (17) and will be eighteen (18) years of age by the third (3rd) Tuesday in January of the election year, shall be eligible as a candidate to seek election to a board seat in the neighborhood or applicable subdistrict of the person's primary residence.

Amendment Note

1990 Substituted "legal resident alien" for "alien" to coincide with revised definition and "of the person's primary residence" substituted for "in which the person lives permanently."

Section 3-3.4. No person shall register or vote nor shall any person register as a candidate in any other neighborhood, and subdistrict as applicable, election than that in which the voter and/or candidate lives permanently at the time of the election.

Section 3-3.5. The executive secretary of the Neighborhood Commission shall direct all neighborhood board elections. The executive secretary may delegate responsibilities in these elections to other specified persons or parties, as deemed necessary.

Section 3-3.6. The chief monitoring officer shall be appointed by the Neighborhood Commission, and shall certify the results of the election.

Section 3-3.7. No candidate shall serve as an election official or election employee in the same election in which the person is a candidate; nor shall any parent, spouse, child, or sibling of any candidate be eligible to serve as an election official or election employee in any area in which the ballots are handled or votes may be cast or tabulated for the candidates.

Section 3-3.8. Determination of Residence.

(a) In addition to the provisions as set forth in Section 1-2.1 of this plan, the following provisions shall be applicable in determining the residence of a person for election purposes:

(1) Where a person registering to vote or to be a candidate gives as a primary residence address a location which does not have a street number; the following information shall be required:

(A) A description of the location of the residence of the person registering that is sufficient to ascertain a neighborhood and applicable subdistrict of the neighborhood in which the person will vote or be a candidate; and,

(B) A mailing address which is within the county where the person is registering to vote or to be a candidate for election, and where the person is legally entitled and does in fact receive mail.

(b) No person claiming residence outside the jurisdiction of the City and County of Honolulu for purposes of voting in any state or national election shall be eligible to participate in the neighborhood board election as a voter or as a candidate as defined in this plan, except military personnel or as otherwise provided in this plan.

Amendment Note

1990 Section 3-3.8 Determination of Residence added under Article 3 General Provision.

1994 Under subsection (b) added "except military personnel or as otherwise provided in this plan."

Article 4. Voter Registration

Section 3-4.1. Any resident who registers shall be entitled to vote in the election provided the person shall have attained the age of eighteen (18) years by the third (3rd) Tuesday in January of the election year.

Section 3-4.2. Registration to vote in the election shall be limited to the neighborhood and applicable subdistrict of the person's primary residence at the time of the election. There shall be only one residence. A voter shall be required to register for each succeeding election except as otherwise provided.

Amendment Note

1990 Language expanded and rearranged.

Section 3-4.3 Voter Registration.

A resident qualified to and desiring to register as a voter for the election shall complete and subscribe to an application in the form of an affidavit to be provided by the Neighborhood Commission office. The affidavit shall contain, but not be limited to, the following information: 1) name; 2) social security number; 3) date of birth; 4) primary residence address and mailing address, if any; and, 5) that the residence stated in the affidavit is the person's primary legal residence. The affidavit shall be filed with the commission by the third (3rd) Tuesday in January of the election year. Any voter registration affidavit filed in person or delivered other than by mail shall reach the executive secretary by 4:30 p.m. of the closing date for registration. When by mail, the envelope containing the voter registration affidavit shall be postmarked no later than the third (3rd) Tuesday in January of the election year and shall reach the executive secretary by 4:30 p.m. on the tenth (10th) calendar day following this postmark closing date. A voter registration affidavit may be delivered by appropriate electronic means accepted by the city clerk for election registration. Any registration form failing to meet these regulations shall be disqualified and the affected party notified accordingly.

Amendment Note

1990 Substituted "primary residence address" for "address of residence," and "primary legal residence" for "legal and fixed residence." Set receiving interim deadline of ten calendar days from last allowable postmark filing date for voter registration by mail.

1994 Added provision barring and disqualifying person filing a voter registration affidavit by facsimile machine or any other electronic device.

1996 Provision revised to allow voter registration affidavit filing by appropriate

electronic means accepted by the city clerk for election registration.

Section 3-4.4. A bona fide resident officially listed by the city clerk as a registered voter for the State of Hawaii election as of the third (3rd) Tuesday in January of the election year, may be declared by the executive secretary to be pre-registered for the biennial neighborhood board election.

Section 3-4.5. Not later than 4:30 p.m. on the tenth (10th) workday following the close of voter registration, there shall be a general register and listing by neighborhood and defined by subdistricts where applicable.

Article 5. Candidates

Section 3-5.1. All candidates shall be at least eighteen (18) years of age by the third (3rd) Tuesday in January of the election year and shall be residents of the subdistrict or in the case of an at-large seat of the neighborhood, of which the candidate seeks election. Any time a candidate moves from the respective subdistrict, as applicable, or neighborhood, the candidate is disqualified.

Section 3-5.2. Candidates shall complete and file a declaration of candidacy with the commission by the third (3rd) Tuesday in January of the election year. Any statement of candidacy filed in person or delivered other than by mail shall reach the executive secretary by 4:30 p.m. on the closing date of filing. When registering by mail, the envelope containing the statement of candidacy shall be postmarked no later than the third (3rd) Tuesday in January of the election year and shall reach the executive secretary by 4:30 p.m. on the tenth (10th) calendar day following this postmark closing date. No statement of candidacy shall be filed with the commission by means of a facsimile (FAX) machine or any other electronic device. Any candidate declaration failing to meet these filing regulations shall be disqualified.

Amendment Note

1990 Defined receiving interim deadline of ten calendar days from last allowable postmark filing date for candidacy registrations by mail. Exceptions by waiver request deleted.

1994 Amended to prohibit declaration of candidacy filing by facsimile machine or any other electronic device.

Section 3-5.3 Candidates.

The statement of candidacy in the form of an affidavit and provided by the commission shall contain, but is not limited to the following information: 1) name of candidate; 2) board seat seeking; 3) social security number; 4) date of birth; 5) primary residence address; 6) mailing or post office address, if any; and 7) signature of applicant. For the purpose of this provision, there shall be only one residence for the person. Neighborhood board candidates shall not accept any in-kind contribution from other candidates for elective office or their committees or any monetary contributions from funds created by other candidates for elective office or their committees.

When candidate profiles are required for publication needs, the information

shall appear as submitted in writing by the potential candidate providing the contents comply with space requirements and contain no offensive language or untrue statements. Should it be necessary to edit the profile for aforementioned reasons, the candidate shall approve the revised language prior to use.

Amendment Note

1990 Substituted "primary residence address" for "address of principal residence."

1996 Provision added prohibiting a candidate from accepting in-kind contribution or any monetary contributions from funds created by other candidates for elective office or their committees. Also added procedures when candidate profiles are required for publication.

Section 3-5.4. No person shall register as a candidate for election for more than one seat on the board concurrently.

Section 3-5.5 Any candidate may withdraw provided the withdrawal notice is in writing on a form provided by the commission and filed with the executive secretary by 4:30 p.m. on the tenth (10th) calendar day after the candidacy filing deadline. In the event a candidate dies, is disqualified, or files a withdrawal notice before the withdrawal deadline, the candidate's name shall be excluded from the ballot. In the event a candidate dies, is disqualified, or files a withdrawal notice after the withdrawal deadline but before the ballots are mailed to voters pursuant to Section 3-6.5, the executive secretary, if feasible, shall order the candidate's name excluded or stricken from the ballot. In the event a candidate dies, is disqualified, or files a withdrawal notice after the withdrawal deadline and the executive secretary determines that it is not feasible to order the candidate's name excluded or stricken from the ballot, the executive secretary, if feasible, shall order that a notice of death, disqualification, or withdrawal be made available to the voters involved; provided that the manner of notice to the voters shall be determined by the executive secretary. Should a candidate die, be disqualified, or file a withdrawal notice in the period between the withdrawal deadline and the day immediately preceding the date established for elected candidates to begin their terms of office under Section 3-7.10 and wins a seat, the next candidate with the greatest number of votes shall fill the seat. The seat of any winning candidate filing a withdrawal notice on or after the date established for elected candidates to begin their terms of office under Section 3-7.10 shall be declared vacant and shall be filled by the elected board as provided in Section 4-2.2, Rules and Procedures of the Neighborhood Board.

Amendment Note

1990 Substituted "May 31" for "the first (1st) workday in May" and "June 1" for "the first (1st) workday in June."

1993 Clarified conditions for excluding candidate's name from ballot when candidate dies, is disqualified, or withdraws. Substituted "the day immediately preceding the date established for elected candidates to begin their terms of office under Section 3-7.10" for "May 31." Also, substituted words "the date established for elected candidates to begin their terms of office under Section 3-7.10" for "June 1." Various grammatical and technical changes made.

Section 3-5.6. Not later than 4:30 p.m. on the tenth (10th) workday after the close of candidacy withdrawals, there shall be a certified list of all qualified residents for whom candidacy declarations have been filed with the commission and who are entitled to be voted for in the election. The list, certified by the executive secretary, shall contain, but is not limited to, the names of all persons and the board seat for which each is a candidate.

Amendment Note

1994 Substituted "tenth (10th) workday" for "sixth (6th) workday."

Section 3-5.7. Any candidate seeking election to a board shall be disqualified immediately when the person moves from the subdistrict or in the case of an at-large seat, from the neighborhood.

Section 3-5.8. If there is an insufficient number of candidates, or in the case of a candidate's death, disqualification or withdrawal, the vacancy shall be filled by the elected board within sixty (60) calendar days after the date established for elected candidates to begin their terms of office under Section 3-7.10 or the first (1st) workday thereafter if this date is not a workday.

Amendment Note

1993 Changed deadline for neighborhood board to fill vacancy caused by insufficient number of candidates in the election or by a candidate's death or withdrawal. Clarified that candidate's disqualification may cause a vacancy. Grammatical corrections made.

Section 3-5.9. In the event of a tie between two or more candidates for the last available seat, when in a subdistrict or in an at-large neighborhood, and after a recount has been conducted, the winner shall be decided by lot under proceedings conducted by the chief monitoring officer not later than five (5) workdays after the certified election results are made public pursuant to Section 3-7.8.

Amendment Note

1993 Changed deadline for proceedings to select a winner by lot in the event of a tie vote. Technical correction made.

Section 3-5.10. When the election is decided by lot, the candidate shall sign a statement to the use of the lot, shall be bound by the lot, and shall bring no election contest under Section 3-8.2 after the drawing of the lot. Each candidate shall be present at the drawing of the lot together with not more than two (2) witnesses of their choice. Should a candidate desire to forgo presence at the drawing, a waiver of this right shall be in writing and filed with the chief monitoring officer by 4:30 p.m. at least one (1) day prior to the date established for the drawing.

Article 6. Ballots

Section 3-6.1. A ballot shall contain the names of candidates, the

neighborhood and subdistrict in which the election is being conducted, the manner in which the ballots are to be marked, and state that the voter shall vote for not more than the number of seats or the number of candidates listed where such a number is less than the seats available.

Section 3-6.2. The names of the candidates shall be placed on the ballot in alphabetical order, last names first, and may be printed with the Hawaiian or English equivalent or nickname, provided the candidate so requests in writing on the statement of candidacy form furnished by the Neighborhood Commission at the time the declaration is filed.

Section 3-6.3 Ballots.

The ballot shall bear no personal or professional title, word, motto, device, sign, or symbol other than the official seal of the City and County of Honolulu and/or the commission's logo, unless otherwise declared essential by the executive secretary. Ballot mailing shall contain only materials pertaining to the election of the neighborhood board members.

Amendment Note

1996 Revised to limit ballot mailing only to materials pertaining to the neighborhood board election.

Section 3-6.4. Sample of ballot layouts prior to printing shall be available for viewing by candidates after the close of candidacy filing, as they are available.

Section 3-6.5. Ballots shall be mailed to qualified voters by the fourth (4th) Friday in March of the election year. Following this date, a qualified voter not receiving a ballot may notify the commission office and request a replacement ballot. The commission office may reissue and mail a new ballot which shall be appropriately marked **"Second Ballot"** (alternatively **"2nd Ballot"**).

Amendment Note

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 and repealed on Sept. 1, 1993; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

Section 3-6.6. The period to issue replacement ballots shall open on the first workday after the date the ballots are mailed pursuant to Section 3-6.5. It shall close at 4:30 p.m. seven (7) workdays prior to the postmark date for return of ballots pursuant to Section 3-6.9. No requests for replacement ballots shall be honored except during this period. These provisions may be applied to replacement requests for spoiled or lost ballots when properly noticed by the qualified voter within the reissuing period.

Amendment Note

1993 Changed period for requesting replacement ballots.

Section 3-6.7. Immediately upon receipt of a replacement ballot request

within the time limit as specified in Section 3-6.6, records shall be examined by the commission office to ascertain whether or not the person is qualified and entitled to vote as requested. Upon verification, a replacement ballot shall be issued and mailed in an official election packet. All requests received on the last day of the reissuing period shall be mailed to the voter as soon as practicable, but no later than twenty-four (24) hours after receipt.

Section 3-6.8. Whenever a request has been fulfilled to replace a spoiled or lost ballot, the originally issued ballot, when returned, shall be marked "**spoiled**" by the chief monitoring officer or designated election official(s) and considered void. All spoiled, invalid, or challenged ballots shall be segregated and retained apart from other ballots in a secure manner and turned over to the vote tabulators at an appropriate time.

Section 3-6.9. All ballots shall be returned by mail in the return envelope provided and postmarked by the third (3rd) Monday in April of the election year. Any ballot delivered to the commission office other than by mail or postmarked after the closing date shall be disqualified and declared "**invalid.**"

Amendment Note

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 and repealed on Sept. 1, 1993; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

Article 7. Voting Procedures

Section 3-7.1. The secrecy of the ballot and the accurate recording, counting, and safeguarding of the ballot shall be paramount.

Section 3-7.2. Any violation, wrongdoing, or discrepancy relating to these rules shall be made known to the executive secretary, the chief monitoring officer, or a designated representative at the earliest possible time.

Section 3-7.3. When a voter loses or incorrectly marks a ballot in the process of voting, or receives an illegible or misprinted ballot, upon request and subsequent verification of the voter's eligibility, a new ballot, clearly marked "**Second Ballot**" (alternatively "**2nd Ballot**") shall be issued by the commission within the time limit as specified in Section 3-6.6. The originally issued ballot when returned shall be marked "**spoiled**" and securely retained apart from other ballots by the chief monitoring officer or designated election official(s). At a given time, the spoiled ballots shall be transferred to the vote tabulators.

Section 3-7.4. A voted ballot envelope containing a ballot shall be signed by the registered voter identified on the envelope. Said signature shall appear on the outside of the voted ballot envelope in the space provided. Unsigned voted ballot envelopes shall be disqualified and declared invalid. Voted ballot envelopes which when opened contain no ballots shall be marked and considered invalid for auditing purposes and deposited in the invalid ballot box.

Amendment Note

1994 Added provision for registered voter signature requirements and disposition of unsigned voted ballot envelopes.

Section 3-7.5. The tally sheets used in counting the ballots cast shall be marked and handled in a secure fashion. After all ballots have been tabulated, the tally sheets and ballots shall be turned over to the commission for safekeeping for thirty (30) calendar days after the certified election results are made public pursuant to Section 3-7.8. The ballots and other election records may be destroyed by the chief election officer when all elected candidates have been certified by the commission and the safekeeping period of thirty (30) calendar days has elapsed.

Amendment Note

1993 Changed retention period for tally sheets and ballots.

Section 3-7.6. In counting the ballots, the total number of ballots shall be verified to equal the total number of voted ballot envelopes recorded as received with the mail-in ballots. When there are more ballots than the records show as having been received, it shall be an overage and when less ballots it shall be a shortage. The election official responsible for the tabulation of ballots shall make a note of any overage or shortage after the vote is tabulated.

Section 3-7.7. Should the overage or shortage of ballots be significant to change the outcome of any election contest, an investigation shall be conducted by the chief monitoring officer and/or a designated election official. The chief monitoring officer's certified report disclosing its findings shall be submitted with the certified election returns to the commission.

Section 3-7.8. The chief monitoring officer shall certify the results of the election for the commission. The certified election results shall be made public on the first (1st) workday in May of the election year by the commission.

Amendment Note

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 and repealed on Sept. 1, 1993; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

Section 3-7.9. The commission shall verify the election and announce the results. The number of persons elected receiving the highest number of votes in any election of a neighborhood or subdistrict as applicable, shall be declared to be elected. The commission shall swear in the board members and issue a certificate of election. The swearing in ceremony or ceremonies shall take place on a date or dates and at a time or times and place or places determined by the commission after the challenge period is elapsed.

Amendment Note

1993 Changed to provide that one or more swearing in ceremonies may be conducted on such dates, times, and places as determined by the commission.

Section 3-7.10 Elected candidates may be administered the oath of office five (5) calendar days after the election, unless challenged, for a term of office beginning the first (1st) calendar day in June of the election year and expiring twenty-four (24) months later on the last calendar day in May.

Amendment Note

1993 Temporary amendment applied only to terms of office for 1991-1993 and 1993-1995 implemented on May 28, 1993 and repealed on July 1, 1995; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

Section 3-7.11. Insofar as the limits of the room or counting center in which the tabulation of ballots take place reasonably allow, the counting of ballots shall be open to the public. At no time shall the public interfere with the election process.

Article 8. Challenge

Section 3-8.1 Voter Registration.

A resident, registered with the commission to vote in the election, may challenge the right of a person to be or to remain registered as a voter in a given neighborhood or applicable subdistrict. The challenge shall be on grounds that the voter fails to meet the qualifications as set forth in Section 3-3.2 of these rules. The challenge shall be in writing defining the grounds on which it is based and signed by the person making the challenge. Before 4:30 p.m. on the first (1st) workday in March of the election year, all voter registration challenges shall be filed with the executive secretary who shall forthwith serve notice on the person challenged. No voter registration objection shall be considered after this closing. The executive secretary shall, as soon as possible, investigate and rule on the challenge.

The voter's proof of primary residence and age, when applicable, shall consist of an identification card, driver's license, birth certificate, or a notarized statement. No other or further challenge shall be allowed for the same person in a single election.

Amendment Note

1990 Language rearranged. Printing error word "evidence" corrected to "residence."

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 and repealed on Sept. 1, 1993; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

1994 Filing date for voter registration challenge changed to "the first (1st) workday in March" from "the second Monday in April."

Section 3-8.2. Candidacy.

A candidacy declaration filed in conformity with Section 3-3.3 of these rules shall be considered valid unless objection is made, in writing, by the executive secretary, the chief monitoring officer, or a voter registered for

the neighborhood board election. Such objections shall be made no later than 4:30 p.m. on the tenth (10th) workday after the closing of the candidacy filing. When an objection is made, the executive secretary shall serve notice on the person challenged by registered or certified mail setting forth the grounds of objection. The executive secretary shall be empowered to conduct evidentiary hearings and may administer oaths. The hearing shall be held no later than four (4) workdays after the objection is filed. All objections shall be decided by the executive secretary no later than 4:30 p.m. on the second (2nd) workday after the hearing is concluded. All objections which are upheld shall be placed in writing by the deciding official if so requested by the candidate affected.

Amendment Note

1990 Substituted "four (4) workdays after the objection is filed" for " four (4) workdays after the objection is made," and "second (2nd) workday after the hearing is concluded" for "second (2nd) workday after the hearing is held." Deleted sentence restricting a candidate's "right to an administrative contested case hearing as defined in Sec. 91-1(5), HRS." Language rearranged.

1994 Substituted "tenth (10th) workday" for "second (2nd) workday" after the closing of the candidacy filing.

Section 3-8.3. Other Challenges.

All challenges or charges of violations of an election other than provided for under Section 3-8.1 and Section 3-8.2 of these Rules, shall be filed within five (5) workdays after the certified election results are made public pursuant to Section 3-7.8. The challenge shall be in writing, setting forth the grounds upon which it is based and signed by at least thirty (30) registered voters of the affected neighborhood or applicable subdistrict. The challenge shall be delivered to the chief monitoring officer who shall notify the person(s) affected by the action. The chief monitoring officer, who shall promulgate procedures for the investigative proceedings, shall also be empowered to conduct evidentiary hearings and may administer oaths. The hearings shall be held no later than four (4) workdays after the charges are filed. The chief monitoring officer shall: 1) Rule on the challenge by 4:30 p.m. on the second (2nd) workday after the challenge is filed or when a hearing is required, make a decision by 4:30 p.m. on the second (2nd) workday after the hearing is concluded; 2) Place the decision in writing; and 3) Submit the written decision to the commission.

Amendment Note

1990 Chief monitoring officer empowered to administer oaths. Deleted sentence precluding complainant's "right to an administrative contested case hearing as defined in Section 91-1(5), HRS." Language rearranged.

1993 Changed deadline for bringing challenges to or charges of violation of Neighborhood Board elections. Technical corrections made.

Article 9. Vacancy

Section 3-9.1 A vacancy shall occur immediately whenever a board member moves from the subdistrict or in the case of an at-large member, from the neighborhood to which elected or appointed. A neighborhood board member

elected or appointed to an elective public office shall resign from the neighborhood board prior to assuming elective public office.

Amendment Note

1996 Added provision requiring resignation of a neighborhood board member prior to assuming elective public office.

Section 3-9.2. When a board's total membership is unfilled after the election due to insufficient number of candidates or is caused by a candidate's death, disqualification, or withdrawal, the vacancy shall be filled by the elected board within sixty (60) calendar days after the date established for elected candidates to begin their terms of office under Section 3-7.10 or the first (1st) workday thereafter if such a date is not a workday.

Amendment Note

1993 Changed deadline for neighborhood board to fill a vacancy caused by insufficient number of candidates in the election. Also, clarified that "candidate disqualification" may cause a vacancy.

Section 3-9.3. Should a vacancy occur on the board during the tenure of office, the remaining members of the board shall appoint a successor of requisite qualifications to fill the vacancy for the unexpired term within sixty (60) calendar days of that declared vacancy.

Section 3-9.4. If the number of vacancies is such that the remaining members do not constitute a quorum, the commission shall:

- (a) Certify as elected one or more unsuccessful candidates receiving the next highest number of votes in the last election to fill the vacancies necessary to constitute a quorum.
- (b) Call for a special neighborhood board election to fill the vacancy.
- (c) Suspend the board for its tenure of office.

Section 3-9.5. All vacancies shall be filled only at a regular meeting of the board. The affirmative vote of at least the majority of all the members to which the board is entitled shall be necessary to take action. The intent to fill the vacancy shall be properly noticed and given to all the remaining members of the board by the board chairperson.

Article 10. Miscellaneous

Section 3-10.1. Optional Methods of Conducting Elections.

Notwithstanding, the provisions contained in Section 1-5.1 through Section 1-5.9 of this plan, the Neighborhood Commission shall be authorized to engage in alternative demonstration methods of election where the commission determines it to be in the best interest of community participation.

Article 11. Validity

Section 3-11.1. If any part or section of the Election Rules and

Procedures of the Neighborhood Boards is held invalid for any reason, such invalidity shall not affect the validity of the remaining part(s) or section(s) of the Election Rules and Procedures for the Neighborhood Boards.

Chapter Note

1986 Abolished Rules For Method Of Election Of The Neighborhood Boards as adopted in 1980. Replaced with rewritten "Election Rules And Procedures For Neighborhood Boards," as new topic heading under Chapter 3. Format restyled.

CHAPTER 4

RULES AND PROCEDURES OF THE NEIGHBORHOOD BOARD

CHAPTER 4

RULES AND PROCEDURES OF THE NEIGHBORHOOD BOARD

Rule No. 1	Definitions
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Rule No. 3	Methods Whereby Public May Obtain Information
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Rule No.12	Violation of Provisions
Rule No.13	Rules in Conflict with the Charter
Rule No.14	Validity

In accordance with Section 1-8.1 of the Neighborhood Plan, the following rules shall govern the neighborhood boards.

Rule No. 1. Definitions

Section 4-1.1. For the purpose of these rules, unless it is plainly evident from the context that a different meaning is intended, words and phrases used herein are the same as defined under Section 1-2.1 of the Neighborhood Plan.

Rule No. 2. General Provisions

Section 4-2.1. Membership.

The members of the neighborhood board shall be residents, at least eighteen (18) years of age, duly elected by vote of the respective neighborhood or any subdistrict thereof according to the Neighborhood Plan of the City and County of Honolulu.

Section 4-2.2. Vacancy.

Any vacancy occurring other than by the expiration of a term of office shall be filled within sixty (60) calendar days after its occurrence. The remaining members of the board shall appoint a successor of requisite qualifications to fill the vacancy for the unexpired term. The vacancy shall be filled only at a regular meeting of the board after reasonable notice of intent has been given to all remaining members of the board by the chairperson.

Section 4-2.3. Absence.

When a board member accumulates three (3) or more absences from properly noticed regular board meetings within a one (1) year period, beginning June 1 and ending May 31, the board shall have the option to declare the seat vacant

and appoint a successor pursuant to Section 4-2.2 of this Plan. At least twenty-one (21) calendar days prior to such action, however, the board, by registered or certified mail, shall serve notice on the incumbent at the person's last known address, of the board's intent to implement the option to declare the seat vacant.

Amendment Note

1990 Substituted "accumulates three (3) or more absences from" for "has an unexcused absence for three (3) consecutive." Defined June 1 to May 31 as one year period.
1994 Provision added to define process for serving notice of absences on the incumbent.

Rule No. 3. Methods Whereby Public May Obtain Information

Section 4-3.1. Source.

The public may obtain information as to matters within the jurisdiction of the neighborhood board by inquiring at the office of the Neighborhood Commission, City Hall, or where established by the board, at the resource center of the neighborhood.

Section 4-3.2. Request for Information.

Requests for information may be made in person or by submitting a request in writing to the chairperson of the neighborhood board.

Rule No. 4. Initial Convening of the Board

Section 4-4.1. Procedures for Initial Convening.

(a) For the initial convening of the newly elected neighborhood board, the board member receiving the highest number of votes in the board election immediately preceding shall call the neighborhood board members to order and shall serve as the temporary presiding officer. In the case of a tie, the temporary chairperson shall be decided by lot.

(b) The board shall then elect its officers. The officers elected by the board from its membership shall assume office immediately upon election.

(c) No action shall be taken until the chairperson is elected.

(d) The order of business shall then proceed in the following sequence:

(1) Fill any vacant seat(s) on the board.

(2) Pre-establish a specific day of the month on which the board will hold its regular meetings.

Rule No. 5. Officers and Their Duties

Section 4-5.1. The officers of a neighborhood board shall consist of the chairperson, vice chairperson, recording secretary, and any other officers the board feels is necessary to conduct board business.

Section 4-5.2. The chairperson and all officers shall be elected annually by and from the membership of the board. Each shall be elected at a regular meeting by the majority vote of the entire membership of the board. The term of an officer shall be for one year, beginning in June and ending the

following May.

Any action to remove an officer shall occur only at a properly noticed regular meeting of the board and shall require the affirmative vote of a majority of the board's entire membership. The reason(s) to support the action to remove any officer must be in writing and presented at said board meeting.

When a vacancy occurs during the tenure of an officer, whether caused by the resignation, death or removal from office, the remaining members shall elect a successor only at a regular meeting of the board. The affirmative vote of a majority of the board's entire membership shall be required to fill the unexpired term of the office. The intent to fill said vacancy shall be properly noticed and given to all the remaining members of the board by the board chairperson or, in the absence of the chairperson, by the acting board chairperson.

(a) **Chairperson.** The chairperson shall be the presiding officer of the neighborhood board. In the absence of the chairperson, the vice chairperson shall act as chairperson. In the absence of both the chairperson and the vice chairperson, the recording secretary shall act as chairperson. In the absence of all officers, the board shall designate the presiding officer as required to conduct business for that meeting.

It shall be the duty of the chairperson to:

- (1) Serve as the spokesperson and representative of the board.
- (2) Open all meetings of the board at the appointed hour by taking the chair and calling the board to order.
- (3) Call for the approval of the minutes of the previous meeting.
- (4) Maintain order and decorum.
- (5) Receive and submit all matters properly brought before the board in the order prescribed by the rules.
- (6) Receive all communications and present them promptly to the board.
- (7) Appoint all committee chairs, unless otherwise directed by the board.
- (8) Authenticate by signature all advisory actions of the board.
- (9) Make known all rules of the neighborhood board when so requested and to decide all questions of order.
- (10) Promptly make the proper referral of matters brought before the board to the appropriate committee(s).
- (11) Perform such other duties as may be required by law or such as may properly pertain to such office.
- (12) Vote at all meetings.
- (13) Appoint a temporary recording secretary in the absence of the recording secretary.

(b) **Vice Chairperson.** It shall be the duty of the vice chairperson to:

- (1) Serve with the chairperson as the spokesperson and representative for the neighborhood board.
- (2) Assist the chairperson in formulating neighborhood board objectives and programs for consideration by the various committees.
- (3) Assist the chairperson to anticipate issues and problems deserving or in need of special meetings.
- (4) Exercise all duties and powers of the chairperson in the absence of the chairperson.

(c) **Recording Secretary.** It shall be the duty of the recording secretary to:

- (1) Keep an accurate journal of proceedings and to perform such other duties as assigned by the neighborhood board.
- (2) Assist the chairperson to anticipate issues and problems deserving or in need of special meetings.
- (3) Exercise all the duties and powers of the chairperson in the absence of the chairperson and the vice chairperson.

Amendment Note

1990 Deleted subsections 4-5.2(a)(14) and 4-5.2(b)(5) to coincide with deletion of "unexcused absence" provision.

1993 Temporary amendment applied only to the 1993 election implemented on May 28, 1993 and repealed on Sept. 1, 1993; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

1994 Provision added to define officers elected only at a regular meeting of the board by the majority vote of the membership; established term limits for officers; set process and procedures for the removal of an officer and defined procedures for the filling of a vacant officer position.

1997 Deleted term limit for an officer.

Section 4-5.3. In the event the chairperson's seat becomes vacant, the vice chairperson shall be designated the temporary presiding officer until a successor is elected to fill the unexpired term of the chairperson.

Rule No. 6. Committees

Section 4-6.1. The board shall be entitled to form committees as necessary to carry out its function. The function of such committees shall be to report its findings and to propose recommendations to the neighborhood board for appropriate action. No committee may speak for the board.

Rule No. 7. Conduct of Business

Section 4-7.1. Meetings.

(a) Regular Meeting(s).

- (1) A regular meeting of the board on a pre-established day of the month shall be held in at least ten (10) months of a twelve (12) month annual cycle. The cycle shall start in June and end in May, unless otherwise set by the commission. At no time shall two (2) consecutive months elapse between regular meetings.
- (2) All sessions shall be open public meetings held within the neighborhood.
- (3) The agenda shall be made public by filing with the city clerk not less than seven (7) calendar days and mailed not less than six (6) calendar days prior to the scheduled regular meeting.
- (4) The board shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall mail a copy of the notice to such person(s).
- (5) Public notice of all meetings shall be in compliance with applicable provisions of the Neighborhood Plan and Section 92-7, Hawaii Revised Statutes.

(b) Special Meeting(s).

- (1) Special meetings open to the public may be called at any time by the chairperson or a majority of the board.

- (2) The agenda shall be made public by filing with the city clerk not less than six (6) calendar days prior to the special meeting.
- (3) Written notice specifying the subject(s) thereof shall be given to each member at least six (6) calendar days prior to such meeting. The acts and business of the board at such special meeting shall be confined to the subject(s) so specified.
- (4) Delivery of notice to the member's mailing list shall be deemed sufficient compliance to the giving of written notice. Verbal notice may be given in person or by telephone.

Amendment Note

1993 Temporary amendment applied only to the 1992-1993 and 1993-1994 meeting cycles implemented on May 28, 1993 and repealed on July 1, 1994; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

Section 4-7.2. Notice.

The board shall give written public notice of any regular, special, or rescheduled meeting. The notice shall include an agenda listing all of the items to be considered at the forthcoming meeting, in addition to the date, time and place of the meeting.

(a) The agenda shall be filed with the office of the city clerk.

(b) No board shall change the agenda, once filed, by adding items without a two-thirds (2/3) recorded vote of all members to which the board is entitled; provided that no item shall be added to the agenda in this manner if it is of reasonable major importance and action by the board will affect a significant number of persons.

(c) All boards shall comply with Chapter 92, Hawaii Revised Statutes.

Section 4-7.3 Minutes.

The board shall keep written minutes of all regular and special meetings in compliance with applicable provisions under Chapter 92, Hawaii Revised Statutes. The minutes shall be public records and shall be available within thirty (30) calendar days after the meeting. All action(s) to correct and approve the minutes shall take place only at a regular meeting of the board.

Amendment Note

1994 Section added covering provisions on minutes.

Section 4-7.4. Adjournment.

A meeting may be adjourned at any time by an affirmative vote of at least the majority of the entire membership to which the board is entitled. Every adjournment shall be deemed to be to the next regular meeting of the board unless otherwise specified in the motion.

Amendment Note

1994 Deleted automatic adjournment of meeting when quorum lost. Renumbered section from 4-7.3 to 4-7.4.

Section 4-7.5. Quorum and Majority Vote.

A majority of all the members to which the board is entitled shall constitute a quorum to do business. The affirmative vote of at least the majority of the entire membership to which the board is entitled shall be necessary to take action.

Amendment Note

1994 Renumbered section from 4-7.4 to 4-7.5.

Section 4-7.6. Voting.

All meetings of the board shall be open to the public and every vote taken by the board shall be by open ballot. There shall be three (3) methods of ascertaining the decision of the neighborhood board upon any matter: by show of hands; by the call of roll of members; or, by unanimous consent. The vote of individual members shall be recorded and reflected in the minutes of the meeting.

Amendment Note

1994 Renumbered section from 4-7.5 to 4-7.6.

Rule No. 8. Parliamentary Practices

Section 4-8.1. Motions.

(a) No motion shall be received and considered by the board until the same has been seconded. However, committee recommendations need not be seconded.

(b) Motions and amendments may be verbal but shall be recorded in writing by the recording secretary and shall be read by the recording secretary or any member if so desired.

(c) After a motion is stated or read by the chairperson, it is deemed in the possession of the board. However, any motion may be withdrawn by the mover with the consent of the corresponding second at any time before a vote is taken on the motion.

(d) Whenever any question is under discussion, the motion relative thereto shall be:

- First, to lay on the table;
- Second, to postpone to a certain time;
- Third, to commit (or refer);
- Fourth, to amend; and
- Fifth, to postpone indefinitely.

Such motions shall have precedence in the order named. The first two (2) motions shall be decided without debate.

(e) When one of the foregoing motions fail or is decided in the negative, the same shall not be revived at the same meeting relative to the main question under discussion. If all are decided in the negative, the only remaining question shall be as to the passage or adoption of the proposed action.

Section 4-8.2. Priority of Business.

(a) The board may, by vote, designate any matter properly placed on the

agenda to be a special order of business, which shall take precedence over all other business.

(b) Except for the first meeting of the new board, the unfinished business in which the board was engaged at the time of the last adjournment shall have preference in the agenda. No business shall be received until such unfinished business is disposed of, unless by special leave of the board.

(c) All questions relating to the priority of business to be acted upon by the board shall be decided without debate.

Section 4-8.3 Motion to Adjourn.

A motion to adjourn is always in order and shall be decided without debate.

One motion to adjourn shall not follow another without intervening business.

A meeting may be adjourned at any time by the majority vote, unless a quorum is lost. When a quorum is lost, the meeting may be adjourned by the affirmative vote of the majority of board members present.

Amendment Note

1996 Deleted automatic adjournment to be consistent with Section 4-7.4, as amended, and added procedure for an adjournment when quorum is lost.

Section 4-8.4. Question of Order.

A question of order shall be raised at any stage of the proceedings, except when votes are being counted during a roll call vote. Such questions shall be decided by the presiding officer without debate, subject to an appeal to the board.

Section 4-8.5. Previous Question.

The object of the motion for the previous question is to cut off debate. It shall always be in order and shall be ordered by the majority vote of the entire membership. Whenever such motion prevails, the question on the floor shall be put to a vote. If the question on the floor is a subsidiary motion and the previous question is moved for all pending motions, all such motions are voted on without debate.

Rule No. 9. Order and Decorum

Section 4-9.1. The chairperson shall vacate the chair when taking part in a debate. The vice chairperson shall then assume the chair. In the absence of the vice chairperson, the recording secretary shall be the presiding officer. In the absence of all other officers, the chairperson shall appoint a temporary chairperson and vacate the chair.

Section 4-9.2. When a board member or person properly before the board wishes to speak, the member or person shall address the chairperson, be recognized before proceeding, and shall confine remarks to the question under discussion, avoiding personalities and abusive language.

Section 4-9.3. If a board member or other person in speaking, or otherwise, shall violate these rules, the presiding officer or any board member may raise a question of order. The presiding officer shall then decide the question of order without debate.

Section 4-9.4. When any person is called to order while speaking, such person shall be in possession of the floor after the question of order is decided, and may proceed with the matter under discussion within the ruling on the question of order.

Rule No. 10. Standards of Conduct

Section 4-10.1. Conflicts of Interest.

No neighborhood board member shall:

(a) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any form under circumstances in which it can reasonably be inferred that the gift is intended to influence a board member in the performance of the member's neighborhood board duties.

(b) Disclose confidential information gained by reason of a board member's position, or use such information for the personal gain or benefit of anyone.

(c) Engage in any business transaction or activity, or have a financial interest, directly or indirectly, which is incompatible with the proper discharge of a board member's duties or which may tend to impair the member's independence of judgement in the performance of the member's duties.

Section 4-10.2. Disclosure of Interest.

When a board member makes a disclosure orally or in writing of a personal or private interest in any action pending before the board or its committees, such disclosure shall be recorded in the minutes of the meeting(s) of the board. Such disclosure shall be applicable to all subsequent actions relating to the same subject matter. No Board member filing a disclosure shall be disqualified from voting on the matter relating to the conflict of interest.

Section 4-10.3 Political Activity.

(a) No neighborhood board shall use its official position or title to:

(1) Endorse a candidate for elective office.

(2) Engage in any political activity which could be implied to endorse or support a candidate for elective office.

(b) The foregoing prohibited activity shall not be deemed to preclude the right of any individual neighborhood board member to engage in these political activities as a private individual.

Amendment Note

1990 Section 4-10.3 Political Activities new section added.

1996 Deleted words "or appointive" from subsections (a)(1) and (a)(2).

Rule No. 11. Parliamentary Authority

Section 4-11.1. The rules of parliamentary practice, as set forth by the latest edition of Robert's Rules of Order, Newly Revised, shall govern the neighborhood board where the same are not covered or in conflict with these rules.

Rule No. 12. Violations of Provisions

Section 4-12.1. Any final action taken by the board in violation of any of the provisions of these rules shall be voided by the Neighborhood Commission after a hearing is conducted pursuant to Section 1-10 of the Neighborhood Plan or as provided under Section 92-11, Hawaii Revised Statutes.

Rule No. 13. Rules in Conflict with the Charter

Section 4-13.1. If any rule contained is in conflict with the provisions of the Revised Charter, the Hawaii Revised Statutes, as amended, the Neighborhood Plan, or other laws, such rule shall be deemed invalid. Such invalidity shall not affect other rules contained herein.

Rule No. 14. Validity

Section 4-14.1. If any part or section of these rules is held to be invalid for any reason, such invalidity shall not affect the validity of the remaining part or section of these rules.

Chapter Amendment Note

1986 Chapter 4 added establishing unified set of Board Rules and Procedures.

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